

TOWN OF AMENIA  
**Town Board Meeting**  
Thursday, August 22, 2013  
Amenia Town Hall

Supervisor Flood moved to call the meeting to order, seconded by C/Rierner at 7:00pm; there was a salute to the flag followed by a moment of silence.

**Roll Call**

Councilwoman Darlene Rierner	Aye
Councilwoman Victoria Perotti	Aye
Supervisor William Flood	Aye
Councilwoman Gretchen Hitselberger	Aye
Councilwoman Vicki Doyle	absent

also present:

Dawn Marie Klingner, Town Clerk  
Ian Donald Esq. Town Attorney

S/Reimer motioned, seconded by C/Perotti

***Motion to open the public hearing for Local Law #3 – Cross Connection Control***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Rierner	Aye
Councilwoman Hitselberger	Aye
Councilwoman Doyle	absent

Motion carried.

Supervisor Flood read aloud the intent of the law.

**Public Hearing- Public Comments**

*Sharon Kreoger* commented on the language within the law and suggests that it should be changed and tailored to deal with the nature of this town.

*Pat Nelligan* commented by asking where did the law come from; not understanding why there was a need of a new law. C/Perotti responds that this is a directive from the Department of Health who pointed it out that we do not have it.

*Darlene Rierner* comments that some of the document includes references to websites and what if that site is no longer active and would like additional time to review this further.

*Gretchen Hitselberger* comments that she does not agree with the verbiage and finds it to be invasive.

*William Flood* agrees with the other board members and comments that the list that he has is not accurate and that in fact his building is in compliance with the regulations.

S/Flood motioned, seconded by C/ Hitselberger

***Motion to close the public hearing***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Rierner	Aye

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Councilwoman Hitselberger Aye  
Councilwoman Doyle absent  
Motion carried.

Supervisor Flood introduced the Local Law Adding a new Chapter 25 of the Town Code and Attorney MacDonald further explained the Law. The advantage of the law gives the municipality more flexibility in the purchase contracts and services.

S/Flood motioned, seconded by C/ Hitselberger

***Motion to open the public hearing for proposed Local Law #4 – Adding a new chapter 25 of the Town Code authorizing the Town Board to award purchase contracts based on best value.***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood Aye  
Councilwoman Perotti Aye  
Councilwoman Riemer Aye  
Councilwoman Hitselberger Aye  
Councilwoman Doyle absent

Motion carried.

Arlene Iuliano comments that this law appears to be open ended. Devon Kyle asked if the law is not passed if that meant that they can't go with lowest bidder

S/Flood motioned, seconded by C/Riemer

***Motion to close the public hearing for proposed Local Law #4 and open the regular meeting***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood Aye  
Councilwoman Perotti Aye  
Councilwoman Riemer Aye  
Councilwoman Hitselberger Aye  
Councilwoman Doyle absent

Motion carried

Supervisor Flood read aloud Resolution #61

S/Flood motioned, seconded by C/Riemer

***Motion to public to adopt resolution #61 Adopting Local Law #3 – Adding a new chapter 25 of the Town Code authorizing the Town Board to award purchase contracts based on best value.***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood Aye  
Councilwoman Perotti Aye  
Councilwoman Riemer Aye  
Councilwoman Hitselberger Aye  
Councilwoman Doyle absent

Motion carried

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Public Comments ~ Regular Meeting

Sharon Kreoger spoke regarding a regional article 78 and then left.

C/Perotti asked the attorney the effects of the article 78 including the names of the Town of Amenia and Wassaic and if there were any impacts. The attorney will look further into this matter and inform the board.

Peter Cascone spoke to the board about holding another event similar to the sundowner. He requested a budget of four to five thousand dollars. It was suggested that he speak to the recreation commission and other local organizations.

Stephen Perotti spoke regarding the biomass facility at the Hotchkiss School and offered to show the board members who have not yet visited the process of the heating system.

Evelyn O'Connell thanked Victoria Perotti for all of her work with the ball fields, summer camp and senior trips. She also thanked all of the coaches and volunteers this year.

Monty Larobardier read aloud an email he sent to the town and requested a written response. S/Flood responded that the building department is looking into it as well as the town attorney.

Tonia Shoumatoff presented information to the board regarding flood management. She suggests that if the board would like a presentation on flood management that the Housatonic Valley Association would be willing to seek funding for the presentation to help educate local municipalities what they need to be planning for. S/Flood agrees that she should move forward with the grant which would bring together a panel on a flooding resiliency program and information on the ten mile river.

**William Henry: Hearing on 426 Old Route 22- Unsafe Building Violation**

Supervisor Flood introduced the hearing and the purpose is to hear the violations with regards to the building violations. Clerk Klingner swore in Code Enforcement Officer John Fenton. Mr. Fenton provided a statement of the actions that have been taken thus far and the efforts to obtain remedy. On June 19<sup>th</sup> the barn was posted unsafe. At the end of June Mr. Fenton requested the use of the town engineer to complete a structural inspection. On July 11<sup>th</sup> Bill Rhode and Mr. Fenton completed the structural inspection of a building that was once an agricultural building that is being used as a building for human occupancy. Upon the inspection it was found that the floor framing has beams that are soft and rotted; the columns are undersized and the supports are inadequate and not deep enough; and the anchorage on the frame is rotted and on the verge of collapsing. This will require an inspection from a third party inspector. The notice was served upon Devin. Attorney MacDonald served a copy of the report to Mr. Henry. The notice informed the property owner to provide a plan by a license engineer. The Notice was served on August 13<sup>th</sup>.

Mr. Henry was sworn in by Clerk Klingner. Mr. Henry states that we "are prepared to do what is necessary to bring the property up to the standard and is open to questions."

S/Flood asked Mr. Fenton what has to be done for this to be compliance.

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Mr. Fenton states that he needs to come back with a report addressing the flooring, support columns and anchorage from a licensed engineer and apply for a permit.

Mr. Henry states that we are prepared to get a permit and prepared to the work necessary to bring up to standard.

Attorney MacDonald states that in order to be in compliance with the laws Mr. Henry will have thirty days to submit a plan with the building inspector and sixty days from that point to make the repairs. September 13<sup>th</sup> the plan is due to the inspector.

C/Rierner asked if there were people living in the barn, Mr. Henry responds that he is here to address the fixings of the barns and that is it.

Nina Peek asks if the structure is brought up to code is that to render the use as a barn or a habitable structure.

**Town Clerk's Report, Dawn Marie Klingner, Town Clerk**

Ms. Klingner reported that the minutes for 7/11/13; 7/23/13; 7/25/13; 7/30/13; 8/6/13; 8/13/13; and 8/20/13 have been circulated to the Board and are pending approval. Due to C/Doyle's absents the Board agreed to wait to approve the minutes. S/Flood asked about the missing minutes from 2012 and the Clerk reminded the Supervisor that she was not the Clerk at that time and that perhaps another member of his staff would have complete them after she left. The Clerk reported that she remitted to the town the local share of fees collected in the amount of \$338.50. She reminded the board that the Main Street grant bid opening is scheduled for Friday, August 23<sup>rd</sup> at 10 am; and the Highway material bids were opened on August 14<sup>th</sup> and awarded on August 20<sup>th</sup>. The Clerk also reported that she has received one volunteer application for the volunteer grant helper. C/Hitselberger suggested advertising with the local universities. The Clerk and C/ Hitselberger will work on this next week.

**Discussions**

Supervisor Flood read aloud a letter regarding Tony Robert on the Board of Assessment Review. Councilwoman Rierner suggested that the position be advertised. The Clerk will send out a press release for the open Board of Assessment Review.

C/Perotti discussed the boilers, and motioned to have John Scott service the boiler and to decommission the other boiler. S/Flood suggests waiting to make these services so it may be all done at one time. S/Flood asked if John has the proper insurance to because of the asbestos. S/Flood and C/Rierner have been meeting with several boiler companies. C/Rierner would like to be given a cost for the cleaning and the work so there is no double payments. At this time there are no proposals for new boilers other than the presentation several weeks ago.

C/Perotti inquired about the plans of a new highway garage, she suggests a pole barn. She also addressed the highway roof is in need of repairs, the water from the recent rains leaked onto the electrical system causing damage and the fire department has responded several times.

S/Flood motioned, seconded by C/Perotti

***Motion to accept the bid from PJ Exteriors in the amount of \$2,450 for the repairs of the highway garage roof.***

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The motion was duly put to a vote which resulted as follows:

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye
Councilwoman Doyle	absent

Motion carried.

C/Perotti reports that the auditors are here and one of the items that they find is that the vouchers system has no checks and balances in place. As it is currently being done the bookkeeper does the entire process, she receives, enters and pays them out. The auditor recommends that the Town Clerk gets the vouchers and the abstract and then verifies the amounts. They need to be numbered accordingly. Board members should be verifying them prior to meeting, and there is an adjustment memo that needs to be completed when there are rejections or adjustments. A motion/resolution needs to be done in order for the supervisor to pay the claims. S/Flood acknowledges the voucher matter and states that its starting this month and that is why there is no vouchers here tonight for approval.

C/Perotti asked about the budget process.

C/Hitselberger handed to the board members a purchase order and supply report (copies were not provided to the town clerk). C/Hitselberger asked for an update on the playground. S/Flood states he is awaiting additional quotes. C/Hitselberger indicates that there was an outage with the email system and is working with BAS. She spoke with Mr. Freeman regarding FOIL, essential we are doing it right, but there needs to be additional documentation. The emergency notification for the road closure was posted on the website and the TV. The TEP grant proposal was submitted on time.

Supervisor Flood read aloud resolution #62

S/Flood motioned, seconded by C/Hitselberger

***Motion to accept Resolution # 62- Transfer of Funds***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye
Councilwoman Doyle	absent

Motion carried

**Supervisor's Report**

S/Flood read aloud a thank you note from Jon Zenz, athletic director of Webutuck High School for the use of the baseball fields. On September 7<sup>th</sup> the event for the past supervisors is planned.

The Workers Compensation for the year of 2013 is due on October 1<sup>st</sup> in the amount of \$9500. This is a cost savings in the amount of \$19,500.

S/Flood has met with the Dutchess County Director of shared services and has provided a list of prices. Supervisor Flood congratulated The Coons Farm who has received the Grand and Reserve Grand awards at the Dutchess County Fair

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C/Hitselberger gave her PSA announcement: Be Healthy Going Back to School. She announced to wash your hands, get a good night's sleep and stay home if you're sick.

**Town Historian Report, Arlene Iuliano**

Ms. Iuliano gave her report of the events she has attended the past month including the North East Historical Society for a presentation on the New England Railroad. And the lecture at the Cunneen-Hackett Theatre for the series on Dutchess Heritage Days

S/Flood has spoken with Liz Rovers regarding the placement of art and she said that they can as long as they sit on top of the fill and no footings.

C/Hitselberger asked about placing public laws and public hearings on line. S/Flood will speak to his staff about adding them up on line.

C/Perotti reported that the senior trip went well

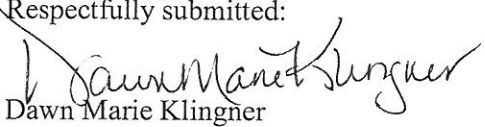
S/Flood motioned, seconded by C/Hitselberger

***Motion to adjourn and pay claims at 9:25pm***

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye
Councilwoman Doyle	absent
Motion carried	

Respectfully submitted:

  
Dawn Marie Klingner  
Town Clerk

The foregoing represents unapproved minutes of the Town of Amenia Town Board from a meeting held on August 22, 2013 and are not to be construed as the final official minutes until so approved.

11-21-2013 Approved as read on

\_\_\_\_\_ Approved with: deletions, corrections, and additions